

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

ANDREW ALAN KULIK, M.D.
License No. 43-01-116197,
Respondent.

Docket No. 19-014154
File No. 43-19-154969

FINAL ORDER

On April 16, 2019, the Department of Licensing and Regulatory Affairs (Department) executed an Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 et seq.

An administrative hearing was held in this matter before an administrative law judge who, on January 29, 2020, issued a Proposal for Decision (PFD) setting forth recommended Findings of Fact and Conclusions of Law.

On February 18, 2020, Respondent filed Respondent's Exceptions to the Proposal for Decision.

The Michigan Board of Medicine Disciplinary Subcommittee (DSC), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held via Zoom on July 15, 2020, and accepted the administrative law judge's Findings of Fact and Conclusions of Law contained in the PFD.

Therefore, IT IS ORDERED that for violating MCL 333.16221(b)(x):

Respondent's license to practice medicine in the state of Michigan is SUSPENDED for a minimum of six (6) months and (1) one day, commencing on the effective date of this Order.

Pursuant to MCL 333.7311(6), Respondent's controlled substance license is automatically void, commencing on the effective date that Respondent's license to practice medicine in the state of Michigan is suspended.

Reinstatement of a license which has been suspended for more than six (6) months is not automatic and, if Respondent applies for reinstatement of the license, application for reinstatement may not be made sooner than 90 days prior to the end of the suspension period and shall be in accordance with MCL 333.16245 and 333.16247.

Respondent is FINED \$5,000.00, to be paid to the State of Michigan prior to filing an application for reinstatement. Respondent shall **direct payment** to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by check or money order, made payable to the State of Michigan, and shall clearly display **File Number 43-19-154969**.

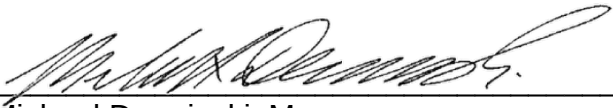
If Respondent violates any provision of this Order, or fails to complete any terms of the order, the DSC may take disciplinary action pursuant to Mich Admin Code, R 338.1632 and MCL 333.16221(h).

This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

This Order shall be effective 30 days after the date signed by the DSC's Chairperson or authorized representative, as set forth below.

Dated: July 24, 2020

**MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE**

By: 
Michael Draminski, Manager
Compliance Section
Bureau of Professional Licensing
Authorized Representative

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ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Cheryl Wykoff Pezon, Director, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline persons for violations of the Public Health Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan. Respondent has an address of record with the Department of Chicago, Illinois.

3. On March 5, 2019, the State of Illinois Department of Financial and Professional Regulation, Division of Professional Regulation (Illinois Department), in consultation with the Illinois Medical Disciplinary Board (Illinois Board), executed a Consent Order with an effective date of March 19, 2019, which suspended Respondent's

license to practice medicine in Illinois for one year, thereafter placed Respondent on indefinite probation, with terms, for a minimum of three years, and required continuing education. The disciplinary action was based, in part, on Respondent's violation of professional boundaries by entering into a sexual relationship with a patient receiving psychiatric services at Respondent's practice. A copy of the Consent Agreement, marked Exhibit A, is attached and incorporated.

COUNT I

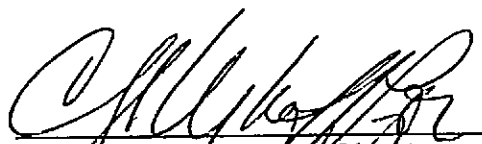
The action by the Illinois Department and Board, as set forth above, constitutes a final adverse administrative action by a licensure, registration, disciplinary, or certification board involving the holder of, or an applicant for, a license or registration regulated by another state, a territory of the United States, or by another country, in violation of MCL 333.16221(b)(x).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to answer this Complaint in writing and to show compliance with all lawful requirements for licensure. Respondent shall submit the response to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Dated: _____

04/16/19


Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing

Attachment

sgc